

**MICHIGAN DEPARTMENT OF EDUCATION
Office of Professional Preparation Services**

***UTILIZATION OF NONCERTIFIED PERSONNEL
IN ELEMENTARY AND SECONDARY SCHOOLS***

March 2006

Purpose

School districts may employ noncertified personnel to assist teachers and support instruction. This includes instructional personnel, clerical support personnel and other paraprofessional personnel. The purpose of this document is to clarify conditions governing the assignment of noncertified personnel employed to support teachers and instruction at the elementary and secondary level.

The term “noncertified personnel” as used in this document, refers to teacher aides/assistants and other support personnel for whom a valid Michigan teaching certificate is not required as a condition for employment.

The document does not apply to occupational and physical therapists, school nurses, or other licensed, certified, approved professional support personnel, or to personnel assigned to noneducational activities, such as athletic events, leisure time instruction, or community service programs which are operated as extracurricular activities.

Legal Authority

The board of a school district is required under §388.1763 of the State School Aid Act to ensure that only qualified teachers who hold a valid Michigan teaching certificate are assigned the responsibility of providing instruction and are required under §380.1231 of the Revised School Code to hire and contract with qualified teachers.

School districts are prohibited from allowing noncertified personnel employed as teacher aides/assistants or instructional paraprofessional to assume the responsibility of teachers in elementary or secondary schools within the state of Michigan, as indicated in the following quote from §380.1233(1) of the Revised School Code:

...the board of a school district or intermediate school board of an intermediate school district shall not permit a teacher who does not hold a valid teaching certificate to teach in a grade or department of the school.

Noncertified personnel may be employed and assigned to assist and support teachers or other approved professional personnel as authorized in Rule 390.1105 of the Michigan Administrative Code.

Authorized Activities

School districts may employ noncertified personnel to assist and support:

1. Noninstructional activities, including:

- a. maintaining safety and discipline in the lunchrooms, on the playground, or in other school settings;
- b. functioning as health care aides, library assistants, or other responsibilities of non-instructional support for the students; and
- c. supervising before and after school programs and noninstructional periods (i.e., study hall periods not counted as part of the required minimum number of hours of pupil instruction as required by §380.1284 of the Revised School Code.)

2. Instructional and related activities, including:

- a. assisting the development of instructional and related materials, performance or clerical tasks, correction of papers, etc.;
- b. complementing instruction, such as assisting the teacher during the lesson by helping students who may need additional support with instruction;
- c. supplementing instruction by assisting the teacher with individuals or small groups of pupils on follow-up activities as specified; and
- d. reinforcing instruction, by assisting the teacher in administering drill activities for individuals or small groups.

Supervision of Noncertified Personnel Providing Instructional Support

Noninstructional personnel may supervise students during library periods, study halls, lunch hour, and other times not counted as part of the student's instructional day or defined in R 340.10 of the Michigan Administrative Code.

Each educational agency must ensure that certified teachers are responsible for students during instructional periods each and every day; however, certified teachers may temporarily be absent during part of an instructional period to handle emergencies, discipline problems, or other unforeseen problems of a temporary nature.

Noncertified personnel engaged in complementing, supplementing, or reinforcing instruction, which is counted as part of the instructional day under Rule 340.2(2) of the Michigan Administrative Code, shall be under the meaningful direction and supervision of a certified classroom teacher.

“Meaningful direction” means that the teacher is responsible for:

- 1) planning and coordinating all lessons;
- 2) presenting the initial lesson;
- 3) identifying the type of complementing, supplementing, or reinforcing instruction to be provided; and
- 4) specifying the type of methods, materials, and techniques to be used by noncertified staff.

“Supervision” means the certified teacher periodically:

- 1) evaluates the performance of noncertified personnel providing instructional support;
- 2) reviews the work plans; and
- 3) evaluates student progress.

Noncertified personnel may not be given full responsibility for instruction. They may provide complementing, supplementing, or reinforcing instruction to individuals or small groups of students without the teacher physically being present for a limited period of time as long as the teacher knows the whereabouts of the aide and students at all times, the noncertified personnel are never given full responsibility for instruction, and the activities of the noncertified personnel are always under the meaningful direction and supervision of the teacher.

Role and Responsibility of Noncertified Personnel

Districts are authorized to employ teacher aides/assistants and other paraprofessionals to support teachers in the day-to-day operation of school programs. Noncertified personnel in the following programs have special responsibilities or functions as established in rule or as a condition for receipt of state or federal funds.

1. Bilingual Education:

Under Section 41 Michigan Bilingual Education grant, a teacher with a bilingual endorsement must teach or supervise the instruction of students served under this grant. If the bilingual endorsement of the teacher is not in the language of the student, then teacher aides/assistants, paraprofessionals or tutors who assist with the instruction must speak the home language. This condition should be met for funding eligibility, because bilingual education is defined as instruction in two languages, one of which is English and the other is the home language.

2. Title I:

On January 8, 2002, President Bush signed the *No Child Left Behind Act (NCLB)*, federal legislation that mandates 100 percent proficiency in the core academic areas of reading, writing, and mathematics for all students by the 2013 - 2014 school year. To reach this goal, the law requires that instructional paraprofessionals demonstrate competence needed to support the instruction of students in these areas.

For the purposes of Title I, Part A, an instructional paraprofessional is defined as an employee who provides instructional support in a program supported with Title I, Part A funds. This includes paraprofessionals who do the following:

- 1) provide one-on-one tutoring if such tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher;
- 2) assist with classroom management, such as organizing instructional and other materials;
- 3) conduct parental involvement activities;
- 4) provide instructional assistance in a computer laboratory;
- 5) provide support in a library or media center;
- 6) act as a translator; or
- 7) provide instructional support services under the direct supervision of a teacher.

Individuals who work in food services, cafeteria or playground supervision, personal care services, noninstructional computer assistance, and similar positions are not considered paraprofessionals under Title I. These individuals do not need to meet the federal requirements.

As partners in the instructional process, paraprofessionals who work in programs supported with Title I funds must meet one of the following requirements:

- 1) complete at least two years of study at an institution of higher education;
- 2) obtain an associate's degree (or higher); or
- 3) meet a rigorous standard of quality and demonstrate, through a formal state or local academic assessment,
 - knowledge of, and the ability to assist in, instructing reading, writing, and mathematics; or
 - knowledge of, and the ability to assist in, instructing reading readiness, writing readiness, and mathematics readiness, as appropriate.

3. Special Education:

Paraprofessional personnel employed in special education programs are qualified under requirements established by their respective intermediate school district plan. Special education paraprofessional personnel include, but are not limited to, teacher aides, health care aides, bilingual aides, instructional aides, and program assistants in programs for students with cognitive impairments or severe multiple impairments. (Rule 340.1792)

An interpreter for the deaf must be one of the following:

- 1) a certified interpreter as defined by the Deaf Persons' Interpreters Act;
- 2) a qualified interpreter as defined by the Deaf Persons' Interpreters Act who has been approved at quality assurance level II or III;
- 3) a high school graduate, or equivalent, with advanced training in a community college, agency, or degree-granting institution. The training must be approved by the Michigan Department of Education. (Rule 340.1793a)

4. Vocational/Technical Education:

Vocational/technical education paraprofessionals are noncertified aides assigned to vocational education teachers. Paraprofessional's who substitute for vocational/technical teachers need an Annual Vocational Authorization (AVA). An AVA requires a minimum of 4,000 hours of recent and relevant work experience within the past six years. A substitute AVA may be issued with a minimum of 2,000 hours.